THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12268 of 2006

25.7.2006

Between:

C.Yeshoda Devi, W/o.C.V.Ramanujachary
And others

… Petitioners

AND

The Municipal Commissioner, Malkajgiri Maunicipality,
Ranga Reddy District
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12268 of 2006

ORDER:

Eighteen petitioners seek a writ of Mandamus directing the respondents 2 to 4 to regularize occupation of dwelling houses by the petitioners in accordance with G.O.Ms.No.1601, dated 29.8.2005. It is their case that they have occupied the land in survey No.278, which was initially donated to A.P.Bhoodan Yagna Board (Bhoodan Board, for brevity). They also allege that they constructed dwelling houses, obtained electricity connections and are paying property tax to Malkajgiri Municipality. They also allege that some of the petitioners purchased the property in 1980. They approached the District Collector and other revenue officials seeking regularization. They have made such applications under G.O.Ms.No.455, dated 29.7.2002. As their applications were remained pending, they filed the present writ petition.

Admittedly the petitioners are under occupation of Bhoodan land. Therefore, the guidelines issued by the Government under G.O.Ms. No.455, dated 29.7.2002 fore regularizing/exempting the land regulated under Section 23 of the Urban Land (Ceiling & Regulation) Act, 1976 has no application. Presumably for this reason the petitioners fall back under the recent Government policy as adumbrated under G.O.Ms.No.1601, dated 29.8.2005 whereby and whereunder the Government extended the scheme for regularization of dwelling houses in an extent of 100 Sq.yards situated in rural and urban areas subject to certain conditions laid down in para 12 of the said Government Order. As on today, the petitioners did not approach the respondent with such applications. Therefore, if the petitioners are

in possession, of the dwelling houses as alleged, they may approach the respondent and Bhoodan Board for appropriate redressal. In this writ petition, no relief can be granted as prayed.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO,J**)

July 25, 2006.

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